

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Edwin Jemale Rich**

**Docket No. 5:02-CR-36-4D**

**Petition for Action on Supervised Release**

COMES NOW Henry Ponton, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Edwin Jemale Rich, who, upon an earlier plea of guilty to Receiving, Possessing, Selling, and Disposing of Stolen Firearms in violation of 18 U.S.C. § 922(j), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on November 12, 2002, to the custody of the Bureau of Prisons for a term of 57 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

Edwin Jemale Rich was released from custody on October 13, 2015, at which time the term of supervised release commenced. On July 16, 2010, the defendant's case was reassigned to the Honorable James C. Dever III, Chief U.S. District Judge, to conduct all future proceedings. A violation report was submitted to Your Honor on June 7, 2016 advising of the defendant failure to make payments towards his financial obligation. No action was taken to allow the defendant an opportunity to comply with his conditions of release. On November 30, 2017, a violation report was submitted to Your Honor to advise of the defendant's use of illegal substances. No action was taken to allow the defendant an opportunity to comply with substance abuse testing and treatment.

A motion for revocation was submitted to Your Honor following the defendant's continued use of illegal substances, as well as his failure to participate in substance abuse testing and treatment. A revocation hearing was held before Your Honor on June 7, 2018. The defendant was continued on supervision, and his conditions of release were modified to include a curfew with electronic monitoring for the duration of his supervision period.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On June 10, 2018, our office was contacted by Integrated Behavioral Healthcare Services in Fayetteville, North Carolina. They advised that the defendant is not only compliant with substance abuse treatment, but they are also in agreement that the defendant would benefit from mental health treatment and resources. After speaking with the defendant, he was in agreement with treatment's recommendation.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Eddie J. Smith  
Eddie J. Smith  
Supervising U.S. Probation Officer

/s/ Henry Ponton  
Henry Ponton  
U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2536  
Executed On: July 26, 2018

### ORDER OF THE COURT

Considered and ordered this 31 day of July, 2018, and ordered filed and  
made a part of the records in the above case.

James C. Dever III  
James C. Dever III  
Chief U.S. District Judge